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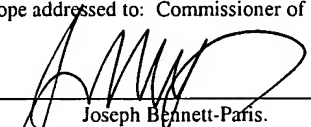
S/N 10/092,598

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|-------------|---|-----------------|--------------------------|
| Applicant: | CIBELLI et al. | Examiner: | BERTOGLIO, VALARIE E. |
| Serial No.: | 10/092,598 | Group Art Unit: | 1632 |
| Filed: | MARCH 8, 2002 | Docket No.: | 60141.0068USU1 |
| Title: | USE OF RNA INTERFERENCE FOR THE CREATION OF LINEAGE SPECIFIC ES AND OTHER UNDIFFERENTIATED CELLS AND PRODUCTION OF DIFFERENTIATED CELLS IN VITRO BY CO-CULTURE | | |

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described herein, are being deposited via First Class Mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 9, 2004.

By: 
Name: Joseph Bennett-Paris.

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

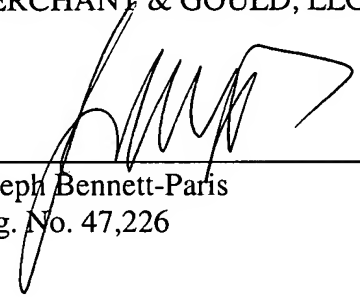
This paper is being submitted in response to the Restriction Requirement mailed January 26, 2004. Without acquiescing to the statements made therein, Applicants hereby elect the claims of Group III (claims 9-20, 28-50, 53, 54, 56-62 and 70-72) with traverse for prosecution in the instant application. Applicants submit that it would not be unduly burdensome, in the least, to search other Groups I and II, as the Examiner has not established that the subject matter of these claims is found in a separate classification. Moreover, a search of genetic engineering of cells is likely to uncover prior art concerning genetically engineering cells by knocking out a gene, recombinantly inserting a gene, and stably transfecting cells with oligonucleotides that

encode an RNA molecule that interferes with the expression of a gene. Examination on the merits is respectfully requested.

Respectfully submitted,

MERCHANT & GOULD, LLC

Date: June 9, 2004



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